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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION: OR REVOCATION OF THE LICENSE OF:	Administrative Action
JONATHAN W. PARKER, D.M.D. License No. DI 12150	: : SECOND AMENDMENT TO REINSTATEMENT : ORDER FILED APRIL 18, 1996
TO PRACTICE DENTISTRY IN THE STATE OF NEW JERSEY	: :

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon the request of Jonathan W. Parker, D.M.D. ("respondent") seeking modification of prior Board orders. The application was supported by documents attesting to the continuing, successful rehabilitation of Dr. Parker with respect to his drug addiction. Dr. Parker's license to practice dentistry, which had been revoked by the Board in November 1994, was reinstated with limitations by a Board Decision and Order entered on April 18, 1996. The reinstatement order was modified upon respondent's application in January 1997.

Respondent now seeks to reduce the random urine monitoring from two times per month to once per month and to remove the bar to writing prescriptions for Schedule II controlled dangerous substances. The Board has considered respondent's request,

including consistently negative urine screens and the report from his treating psychotherapist. The available information demonstrates respondent has been fully compliant with the prior Board orders in this matter, that he continues in recovery, and that the public health, safety and welfare are adequately protected by the continued monitoring provisions set forth in this order. Therefore,

IT IS on this 12 day of MAY, 1999,

ORDERED, that:

1. Respondent shall submit to urine monitoring under the supervision of the Board on a random, unannounced basis, once per month, at a laboratory facility designated by the Board. Specifically, the urine monitoring shall be conducted with direct witnessing of the taking of the samples as arranged and designated by the testing facility. The initial drug test shall utilize appropriate screening techniques, and all confirming tests and/or secondary tests shall be performed by gas chromatography/mass spectrometry (GC/MS). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. All tests shall be provided to Agnes M. Clarke, Executive Director of the Board, or her designee in the event she is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the

testing. Any failure by the respondent to submit or provide a urine sample within twenty-four (24) hours of a request shall be deemed to be equivalent to a confirmed positive urine test. In the event the respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Agnes Clarke, Executive Director of the Board, or her designee. Personnel at the drug testing facility shall not be authorized to consent to waive a urine test. In addition, respondent shall provide the Board with written substantiation of his inability to appear for a test within two (2) days after permission has been granted to waive a test, e.g., a physician's report attesting that he was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of the dentist that is so insurmountable or that make appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day. In the event the respondent will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for a urine test prior to the resumption of dental practice upon return to the State. The Board may in its sole discretion modify the frequency of testing or method of reporting during the monitoring period.

2. As of the date of entry of this Order, respondent may prescribe, dispense or administer Class II controlled dangerous

substances. Respondent shall not take any such substance except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause. In the event any physician or dentist prescribes medication which is a Class II controlled dangerous substance, respondent shall cause such doctor to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than seven (7) days subsequent to the prescription in order to avoid any confusion which may be caused by a confirmed positive urine test as a result of such medication.

3. Respondent shall comply with the following terms and conditions when prescribing Class II, III, and IV controlled dangerous substances:

(a) Dr. Parker shall obtain and exclusively employ prescription pads which provide triplicate copies of each prescription and which are consecutively numbered.

(b) Dr. Parker shall provide the original of the prescription to the patients. He shall place one copy in the patient's chart and submit one copy of all prescriptions to the Board on a monthly basis. He shall be required to account for each consecutive number regardless of whether the particular prescription was voided or was not used for any purpose whatsoever. Further, Dr. Parker shall submit with each prescription for a Class III or Class IV controlled dangerous substance a copy of the

patient's treatment record in order to confirm the need for the prescription.

(c.) Dr. Parker shall submit copies of these prescriptions in consecutive order accompanied by patient records when required no later than the fifth (5th) day of each month for all prescriptions written in the previous month. The prescriptions shall be submitted to Agnes Clarke, Executive Director of the State Board of Dentistry, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, so that they may be reviewed and monitored by the Board.

4. All costs associated with the monitoring program shall be paid directly by the respondent.

5. It is expressly understood and agreed that continued licensure with restrictions as ordered is contingent upon strict compliance with all of the conditions in this order. Upon the Board's receipt of any information indicating that any term of the Order has been violated in any manner whatsoever, including, but not limited to, a report of a confirmed positive urine or any other evidence that respondent has used an addictive substance, a hearing shall be held on short notice before the Board or before its representative authorized to act on its behalf. The proofs at such a hearing shall be limited to evidence of the particular violation at issue. Any confirmed positive urine test shall be presumed valid, and respondent shall bear the burden of demonstrating its invalidity.

13. All other terms and conditions set forth in the Board's orders of April 18, 1996 and January 8, 1997 which are not inconsistent with the within Order shall continue in full force and effect.

New Jersey Board of Dentistry

A handwritten signature in cursive script, appearing to read "A. Samansky", is written over a horizontal line.

Abraham Samansky, D.D.S., President